

whole road length is $4\frac{1}{2}$ miles. Out of this only a length of 2 miles and 3 furlongs is under this Department. The other portion will have to be attended to by the Public Works Department. As far as the Panchayat road is concerned, of course, this Rs. 1,300 will be spent and there will be some material improvement to this road.

Mr. A. V. Moothedan (*Chalakkudi*): The worst part of the road is the Panchayat portion and if that is completed at once it will be alright.

Mr. A. Sivarama Menon : (*Minister for Rural Development*): That worst part is being immediately attended to. This Rs. 1,300 will be utilised.

PATTANCHERI VILLAGE—PUBLIC TANK.

155. Mr. A. Eachara Menon (*Chittur-Rural*): With reference to yesterday's question No. 155, my question was whether there was any public tank for bathing purposes?

Mr. K. Achyuta Menon (*Diwan Peishkar*): There are two Public tanks for the purpose.

Mr. A. Eachara Menon (*Chittur-Rural*): Are they specially set apart by Government for bathing purposes?

Mr. K. Achyuta Menon (*Diwan Peishkar*): I suppose the hon'ble member means Government poramboke.

Mr. A. Eachara Menon (*Chittur-Rural*): My question is whether there are public tanks which can be used by the public and to which they will have access without any molestation whatsoever.

Mr. K. Achyuta Menon (*Diwan Peishkar*): Even a private owned tank may be a public tank. The owner may be an individual but the public may be using it.

Mr. A. Eachara Menon (*Chittur-Rural*): What is the difficulty for Government to allow taking water from a public tank?

Mr. K. Achyuta Menon (*Diwan Peishkar*): Of course the tank is for bathing purposes. It may be a private owned one. Government cannot interfere.

Mr. A. Eachara Menon (*Chittur-Rural*): I want a Public tank for the people of Pattancheri, where Government can interfere.

Mr. K. Achyuta Menon (*Diwan Peishkar*): That is a request; not a question. A request cannot be a question.

Mr. A. Eachara Menon (*Chittur-Rural*): My question is whether there is any public tank?

Mr. K. Achyuta Menon (*Diwan Peishkar*): My answer is there are public tanks owned by private owners.

Mr. A. Eachara Menon (*Chittur-Rural*): How many Public tanks are there?

Mr. K. Achyuta Menon (*Diwan Peishkar*): That is what I have been endeavouring to explain. An owner may allow the public to use it. In fact that was a contention in 1106 and people went to a court of law to establish that they had a right to bathe which was somehow or other compromised.

Mr. A. V. Moothedan (*Chalakkudi*): It is a paradox.

Mr. K. Achyuta Menon (*Diwan Peishkar*): It will be a paradox to those who are not allowed to bathe. A private man can dedicate his tank to the public if he is pleased.

Mr. A. V. Moothedan (*Chalakkudi*): Then it is a public tank.

Mr. K. Achyuta Menon (*Diwan Peishkar*): Who says it is not. At the same time it is a private tank. He can close it. Government cannot interfere.

Mr. K. S. Panicker (*Ezhuvas-Mukundapuram*): Can it be used by all castes?

Mr. K. Achyuta Menon (*Diwan Peishkar*): If the owner will permit. It is not a Government tank. So far as the Government is concerned this is of academic importance.

Mr. A. V. Moothedan (*Chalakkudi*): If it is dedicated to the public it is no more a private property.

Mr. K. Achyuta Menon (*Diwan Peishkar*): That is a question of law which the court will decide.

Mr. K. S. Panicker (*Ezhuvas-Mukundapuram*): ഗവണ്മെന്റിൽ അതിന്നു ഒരു പബ്ലിക് കളം അവിടെ ഉണ്ടാക്കിക്കൊടുപ്പാൻ സാധിക്കുമോ?

Mr. K. Achyuta Menon (*Diwan Peishkar*): That is what is said. It is a request which will be considered when the request comes.

I will explain the matter. The Tharavad of Nairuveettil owned a temple, and attached to that temple there is a tank which was used as the temple tank. When they partitioned they partitioned the tank also. The shares have been purchased by certain individuals. One Sir C. V. Anantakrishna Ayyar and others purchased the shares. There are two owners now. The question is now between the owner of a private tank and certain people who used to take bath there. Government have nothing to do with it.

Mr. A. Eachara Menon (*Chittur-Rural*) : Will the Government be pleased to enquire into the matter and pleased to say whether it is not a fact that that tank was constructed by Madassery people?

Mr. K. Achyuta Menon (*Diwan Peishkar*) : It was constructed by Madassery people.

Mr. A. Eachara Menon (*Chittur-Rural*) : How did it happen to go to others' hands?

Mr. K. Achyuta Menon (*Diwan Peishkar*) : Probably by assignment. I cannot hazard a guess. The exact manner in which it came into others' possession I do not know. May be a gift, or by assignment or anything like that.

AYYAPPANKULAM—VITHANASSERI (NEMMARA)—REPAIRS TO.

166. Mr. T. V. Subramania Ayyar (*Nemmara*) : Will the Government be pleased to state:—

(a) whether there was any mass petition by the inhabitants of Vithanasseri (Nemmara) for the acquirement and repair of the only tank in the locality (Ayyappankulam);

(b) if the answer to (a) is in the affirmative, what action was taken by the Government in the matter;

(c) has the attention of the Government been drawn to the fact that the Ayyappankulam is the only tank in the locality which has to serve the inhabitants for bathing and washing purposes;

(d) is the Government aware that during the summer months the tank referred to in question (c) is almost dry and covered with weeds and other vegetation which breed mosquitoes and cause great annoyance and danger to the health of the inhabitants in the vicinity;

(e) in the interests of the health and convenience of the people of Vithanasseri, will the Government be pleased to take immediate action to acquire the tank and repair it or otherwise arrange to keep it in a proper condition?